

January 14, 2014

Hon. Gary R. Brown
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Estate of McDonnell v. County of Suffolk, et al.
Docket # CV-11-4221 (WFK)(GRB)

Dear Judge Brown:

The County defendants are in receipt of your Honors order regarding the Suffolk County Police Department Internal Affairs report relating to the events underlying the above referenced claim. Initially, the defendants apologize for not submitting a response to the plaintiff's October 31, 2013 request. However, immediately following this request I advised Mr. Cirvardi that the County has no objection to providing the report once it is completed and received by the County. Subsequently, Mr. Cirvardi made inquiries regarding the status of the report, and on each occasion I responded that it still was not completed. It was my belief that based on these conversations the issue regarding production of the report was resolved, however, I failed to advise the Court. Again, I apologize.

Regarding the Courts most recent direction to provide the plaintiff with the report by January 15, 2014, the defendants respectfully wish to advise the Court that based upon conversations with the Internal Affairs Bureau, the report to date has not yet been completed. I have been advised that a target date of completion is sometime in the month of February. As I have previously represented, once the report is completed and received by the County we will provide it to the plaintiff forthwith. I have spoken to Mr. Cirvardi regarding this status, and upon consent of the parties we are requesting that the Court conduct a telephone conference to discuss this issue.

I thank the Court for its consideration of this matter.

Respectfully submitted,

DENNIS M. BROWN
Suffolk County Attorney

Brian C. Mitchell
Assistant County Attorney

CC: Stephen Civardi, Esq. (via ECF)
Richard Obiol, Esq.